two Muslim members in the Legislative Council. If they prepare draft bills on the subjects and apply for permission to introduce them in the Council, the permission will be granted. But it is necessary for the grant of such permission that the majority of the people to be affected by the proposed legislation assent to it. It is not desirable to impose any compulsory legislation on the section of the Muslim community who are to be affected by it.

The Koran teachers are paid less than the ordinary teachers because they are not full-time teachers. It is not therefore justifiable for them to claim the same pay as other teachers. But if they are qualified to teach other subjects as well, they are given that pay.

The remaining points have already been dealt with in the replies to the representations made by other members.]

151. The present needs of the Muslims:

MR. A B. MAIDEEN PILLAI (*Nominated*) said that as the Muslim community lagged behind other communities in the matter of education it was somewhat difficult to bring its needs to the notice of Government. Consequently, Government sometimes overlooked the existence of so important a community.

The *Wakf* properties were endowments made to mosques by generous Muslims, on the understanding that the proceeds thereof would be applied for, and only for, religious and charitable purposes. But in contravention of the intention of the donors, the profits arising from, and in some cases even the corpus of, the endowments were being unlawfully appropriated by the persons who happened to exercise control over them. They even dared to alienate the properties. It was becoming nearly impossible to deprive them of their control over the endowments. For want of proper attention, some properties were, either wholly or in part, destroyed. They led to serious dissensions in the community. Properly administered, the *Wakf* funds and properties could be utilised for the educational advancement of the community. The need for passing a law for regulating the administration of the abovesaid properties was urged in successive sessions of the Assembly, but to no purpose. A regulation on the lines of the *Wakf* Act of British India, should be promulgated in Travancore in order to save the community from a serious calamity.

A section of the Muslim population followed the *Mnrumakkathayam* system of inheritance. The practice was opposed to the tenets of the Islamic religion. When the attention of Government was drawn to the anomaly, they replied that they would allow the necessary legislation to be introduced for its removal, provided the Muslim representative in the Legislative Council took the initiative in the matter. The Muslim member accordingly proposed to introduce a Bill. The Bill should be speedily passed into law.

Under the Muhommedan law, a married woman could be divorced when it suited her husband's fancy or his whims. But the law did

not permit the husband being divorced, at the option of the wife, even though the Islamic religion acknowledged that women had the same rights as men in regard to divorce. As the husband enjoyed the further liberty to take more than one wife, the lot of Muslim women was very miserable. Government should introduce the necessary legislation for enabling women to exercise the same rights as men in regard to divorce.

Muslim members represented in previous sessions of the Assembly that the practice of swearing by the Koran in law courts should be abolished. Thereupon, Government caused instructions to be issued that Muslim witnesses should not be forced to swear by the sacred book. The testimony of persons who objected, on religious grounds, to swear with the Koran in hand was sometimes deemed to be unreliable. For that reason and also for the reason that it was not compulsory to swear by the scriptures, the *Koran* should be removed from all law courts.

DEWAN'S REPLY: Mr. Maideen Pillai, നിങ്ങളുടെ വിഷയത്തിൽ ആദ്യത്തെ രണ്ടു ഭാഗങ്ങളെപ്പറ്റി ഇതിനുമുമ്പുപ്രസംഗിച്ച മെമ്പർമാക്ക് മറുപടി പറഞ്ഞിട്ടുണ്ട്. ആ മറുപടി തന്നെയാണു ഇതിനും പറയാനുള്ളതു്.

പിന്നീടു വിവാഹമോചനത്തിനെപ്പറ്റിയാണു പറഞ്ഞത്. അതായത് സ്ത്രീകൾക്കു വിവാഹമോചനം ചെയ്യത്തക്കവണ്ണമുള്ള അധികാരം കൊടുക്കുന്നതിനു ഒരു നിയമം പാസാക്കണമെന്നു പറഞ്ഞു. ഇതിനു മുമ്പു ഒരു മെമ്പർക്കു സമാധാനം പറഞ്ഞതു പോലെ നിങ്ങളുടെ സമുദായത്തിന്റെ അഭിപ്രായം ഇങ്ങിനെ ഒരു നിയമം ആവശ്യമാണ് എന്നാണെങ്കിൽ നിങ്ങളുടെ സമുദായപ്രമാണികളുമായിട്ടു ആലോചിച്ചു ഒരു ബിൽ തയ്യാറാക്കി നിങ്ങളുടെ പ്രതിനിധിയെക്കൊണ്ടു നിയമസഭയിൽ അവതരിപ്പിക്കണം.

കൊറാൻ പുസ്തകങ്ങളെ കോടതികളിൽ നിന്നും മാറ്റുന്നതിനെപ്പറ്റി പറഞ്ഞു. അതിനെ സംബന്ധിച്ചു ഹൈക്കോടതിയിൽ നിന്നും മുമ്പു ഒരു ഉത്തരവുണ്ടായതനുസരിച്ചു കൊറാൻ ഇപ്പോൾ പെട്ടിക്കകത്തു പൂട്ടിവച്ചിരിക്കയാണ്. എന്നാൽ നിങ്ങളുടെ സമുദായത്തിൽ പെട്ട ആരെങ്കിലും കൊറാൻ തന്നാണ അതിൽ തൊട്ടുകൊണ്ടു സത്യം ചെയ്യല്ലാതെ മൊഴി കൊടുക്കയില്ല എന്നു പറയുകയാണെങ്കിൽ കോടതിയിൽ ഇല്ലാതെ വരുത്തെല്ലാ എന്നു വിചാരിച്ചാണ് ഇങ്ങിനെവച്ചിരിക്കുന്നത്. അങ്ങിനെ ആരെങ്കിലും ആവശ്യപ്പെട്ടാൽ കൈകാൽ ശുദ്ധി ചെയ്തതിൽ പിന്നീടാണ് കൊറാൻ എടുത്തു സത്യം ചെയ്യുന്നത്.

MEMBER: എന്നാൽ ഇപ്പോൾ അങ്ങിനെ നടക്കുന്നില്ല.

DEWAN: ഉത്തരവിൽ പറയുന്നത് മൂന്ന കൊല്ലം അങ്ങിനെ വച്ചിരിക്കണമെന്നും ഈ മൂന്ന കൊല്ലത്തിനിടയ്ക്ക ആരും ആവശ്യപ്പെട്ടന്നില്ലെങ്കിൽ കൊറാൻ കോടതികളിൽ നിന്നും മാറിക്കളയാമെന്നുമാണ്. ഇതുവരെ മൂന്ന കൊല്ലം കഴിഞ്ഞിട്ടില്ല. മൂന്ന കൊല്ലം കഴിഞ്ഞു അതിന്റെ ഫലം നോക്കി ഹൈക്കോടതിയിലേക്ക എഴുതിഅയച്ചു വേണ്ടത് ചെയ്യാം.

[The first two points of the representation have been replied to in connection with the representation made by the previous speaker.

In regard to the need for a law of divorce, if there is real need for such legislation, the Muslim members of the Legislative Council should be moved to introduce a bill for the purpose in the council.

In regard to the removal of the Koran from law courts, the High Court have ordered that copies of the book should be kept in boxes under lock and key. They are intended for use when any Mahomedan wants to swear by the Koran before giving his statement. But he is allowed to touch the book only after washing his hands and feet. It is the intention to order its absolute removal if for a period of three years it is not made use of. The period of three years has not yet elapsed. Necessary action will be taken in consultation with the High Court after watching the result during this period.]

152. Certain disabilities of Muslims.

MR. A. B. EMAIDEEN PILLAI (*Nominated*) said that Friday being a special day of prayer, should be recognised as a holiday for Mussalmans. Should it be difficult to accept the suggestion, they ought to be given leave of absence up to 2 P. M. on Fridays.

The practice by which Muslims were exempted from attendance in public institutions for two hours on Fridays was somewhat inconvenient. For instance, the Muslim members of the Legislative Council were unable to take part in the debates in the Council for two hours, and to ask supplementary questions, on Fridays. Muslim pupils and students missed their lessons for two hours every week. The Muhommedan employees in Government institutions also feel the inconvenience. Some remedy should be found for obivating these evils.

No other community in the State suffered so grievously as the Muslim community in the matter of appointments. In most departments, there was not even a single Mohammedan officer. The community was very loyal and its contribution to the revenue of the State was not inconsiderable. Of the 1,500 appointments carrying a pay of Rs. 50 and above, only 14 went to the share of the Mussalmans who numbered three lakhs. The above figures served to reveal the wrong done to the community. In the Revenue Department, there was not even a single Tahsildar from that community, even though there were several Muslims competent enough to hold such appointments,